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11

12 UNITED STATES DISTRICT COURT  
13 WESTERN DISTRICT OF WASHINGTON  
14

15 Crissandra Johnston,

Case No.:

16 Plaintiff,

**COMPLAINT FOR DAMAGES**  
**1. VIOLATION OF FAIR DEBT**  
**COLLECTION PRACTICES ACT,**  
**15 U.S.C. § 1692 ET. SEQ.**

17 vs.  
18 Columbia Debt Recovery, LLC; and  
19 DOES 1-10, inclusive,  
20

**JURY TRIAL DEMANDED**

21 Defendants.  
22

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1 For this Complaint, Plaintiff, Crissandra Johnston, by undersigned counsel,  
2 states as follows:  
3

4 **JURISDICTION**

5 1. This action arises out of Defendants' repeated violations of the Fair Debt  
6 Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA") in their illegal efforts  
7 to collect a consumer debt.  
8

9 2. Venue is proper in this District pursuant to 28 U.S.C. § 1333(b), in that  
10 Defendants transact business here and a substantial portion of the acts giving rise to  
11 this action occurred here.  
12

13 **PARTIES**

14 3. Plaintiff, Crissandra Johnston (hereafter "Plaintiff"), is an adult  
15 individual residing in Puyallup, Washington, and is a "consumer" as the term is  
16 defined by 15 U.S.C. § 1692a(3).  
17

18 4. Defendant Columbia Debt Recovery, LLC ("Columbia") is a Washington  
19 business entity with an address of 1215 120<sup>th</sup> Avenue Northeast, Suite 101, Bellevue,  
20 Washington 98005, operates as a collection agency, and is a "debt collector" as the  
21 term is defined by 15 U.S.C. § 1692a(6).  
22

23 5. Does 1-10 ("Collectors") are individual collectors employed by  
24 Columbia and whose identities are currently unknown to Plaintiff. One or more of the  
25

1 Collectors may be joined as parties once their identities are disclosed through  
2 discovery.  
3

4 6. Columbia at all times acted by and through one or more of the Collectors.  
5

6 **ALLEGATIONS APPLICABLE TO ALL COUNTS**  
7

8 **The Debt**  
9

10 7. Plaintiff allegedly incurred a financial obligation (“Debt”) to Campbell  
11 Run Apartments (“Creditor”).  
12

13 8. The Debt arose from services provided by the Creditor, which were  
14 primarily for family, personal, or household purposes, and meets the definition of a  
15 “debt” under 15 U.S.C. § 1692a(5).  
16

17 9. The Debt was purchased, assigned, or transferred to Columbia for  
18 collection, or Columbia was employed by the Creditor to collect the Debt.  
19

20 10. Defendants attempted to collect the Debt and, as such, engaged in  
21 “communications” as defined in 15 U.S.C. § 1692a(2).  
22

23 **Columbia Engages in Harassment and Abusive Tactics**  
24

25 11. In December 2016, Plaintiff discovered the Debt on her credit report.  
26

27 12. On December 21, 2016, Plaintiff sent a dispute letter to Columbia via  
28 electronic delivery.  
29

1       13. Columbia failed to address Plaintiff's dispute and continued collection  
2 efforts.  
3

4       14. By letter dated March 8, 2017, Plaintiff sent another letter to Columbia  
5 via U.S. priority mail, disputing the validity of the Debt and requesting that all future  
6 communication be in writing only.  
7

8       15. Columbia received Plaintiff's letter on March 10, 2017.

9       16. In complete disregard of Plaintiff's written request to cease all telephone  
10 communication with her, Columbia continued placing collection calls to Plaintiff.  
11

12       17. In or around May 2017, Columbia called Plaintiff's place of employment  
13 and Plaintiff's family members in an attempt to collect the Debt from Plaintiff.  
14

15       18. When Columbia called Plaintiff's family members, Columbia was in  
16 possession of Plaintiff's accurate contact information.  
17

18       19. When calling Plaintiff's workplace, Columbia disclosed the nature of the  
19 call, causing embarrassment and humiliation to Plaintiff.  
20

21       20. Columbia failed to send Plaintiff a 30-day validation notice within five  
22 days of its initial communication with Plaintiff.  
23

### **Plaintiff Suffered Actual Damages**

24       21. Plaintiff suffered and continues to suffer actual damages as a result of  
25 Defendants' unlawful conduct.  
26  
27  
28

22. As a direct consequence of Defendants' acts, practices, and conduct, Plaintiff suffered and continues to suffer from humiliation, anger, fear, frustration, and embarrassment.

## COUNT I

## **VIOLATIONS OF THE FDCPA, 15 U.S.C. § 1692, *et seq.***

23. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

24. Defendants' conduct violated 15 U.S.C. § 1692b(1) in that Defendants contacted third parties for purposes other than to confirm or correct location information.

25. Defendants' conduct violated 15 U.S.C. § 1692b(2) in that Defendants informed third parties of the nature of Plaintiff's debt and stated that the Plaintiff owed a debt.

26. Defendants' conduct violated 15 U.S.C. § 1692c(b) in that Defendants communicated with individuals other than Plaintiff, Plaintiff's attorney, or a credit bureau.

27. Defendants' conduct violated 15 U.S.C. § 1692c(c) in that Defendants contacted Plaintiff after having received written notification from Plaintiff to cease communication.

1       28. Defendants' conduct violated 15 U.S.C. § 1692d in that Defendants  
2 engaged in behavior the natural consequence of which was to harass, oppress, or  
3 abuse Plaintiff in connection with the collection of a debt.  
4

5       29. Defendants' conduct violated 15 U.S.C. § 1692e in that Defendants used  
6 false, deceptive, or misleading representation or means in connection with the  
7 collection of a debt.  
8

9       30. Defendants' conduct violated 15 U.S.C. § 1692e(10) in that Defendants  
10 employed false and deceptive means to collect a debt.  
11

12       31. Defendants' conduct violated 15 U.S.C. § 1692f in that Defendants used  
13 unfair and unconscionable means to collect a debt.  
14

15       32. Defendants' conduct violated 15 U.S.C. § 1692g(a) in that Defendants  
16 failed to send Plaintiff an initial letter within five days of their initial contact with  
17 Plaintiff, as required by law.  
18

19       33. Defendants' conduct violated 15 U.S.C. § 1692g(b) in that Defendants  
20 continued collection efforts even though the Debt had not been verified.  
21

22       34. The foregoing acts and omissions of Defendants constitute numerous and  
23 multiple violations of the FDCPA, including every one of the above-cited provisions.  
24

25       35. Plaintiff is entitled to damages as a result of Defendants' violations.  
26  
27  
28

1                   **PRAAYER FOR RELIEF**  
2

3                   **WHEREFORE**, Plaintiff prays that judgment be entered against Defendants:

- 4                   1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against Defendants;  
5  
6                   2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A)  
7                   against Defendants;  
8  
9                   3. Costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C.  
10                  § 1692k(a)(3) against Defendants;  
11  
12                  4. Actual damages from Defendants for all damages suffered as a result of  
13                  the intentional, reckless, and/or negligent FDCPA violations in an  
14                  amount to be determined at trial for Plaintiff; and  
15  
16                  5. Such other and further relief as may be just and proper.

17                   **TRIAL BY JURY DEMANDED ON ALL COUNTS**

18                  DATED: December 4, 2017  
19

20                  By: /s/ Sarah Stasch  
21                  Sarah Stasch, Esq.  
22                  Lemberg Law, LLC  
23                  Attorney for Plaintiff, Crissandra Johnston  
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